

## Message Text

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DRAFTED BY EUR/SOV:MKOVNER/WJDYESS:MAC

APPROVED BY EUR -- MR. HARTMAN

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FM SECSTATE WASHDC

TO AMEMBASSY MOSCOW IMMEDIATE

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LIMDIS

E.O. 11652: N/A

TAGS: PFOR, EAGR, UR, US

SUBJECT: DENIAL OF SOVIET VISA FOR FSO KOVNER

REF: A. STATE 21344 (LIMDIS) B. MOSCOW 14100

C. STATE 216003, NOV 2, 1973 (LIMDIS)

1. IN A REPLAY OF THE SCENARIO LAST FALL, THE SOVIET  
EMBASSY HAS INFORMED THE DEPT OF AGRICULTURE THAT A SOVIET  
VISA HAS BEEN DENIED FSO MILTON KOVNER, THE STATE DEPT  
REPRESENTATIVE ON THE US AGRICULTURE WORKING GROUP FOR THE  
OCT 8-11 MEETING IN MOSCOW.

2. AMB STOESSEL AND ASST SECRETARY HARTMAN RAISED THE VISA  
REFUSAL WITH KORNIYENKO IN NEW YORK ON SEPT 24. KORNIYENKO  
REPLIED THAT TWO EXCEPTIONS HAD ALREADY BEEN GRANTED KOVNER  
LAST FALL, AND INDICATED THAT THE SOVIETS WERE NOT INCLINED  
TO MAKE FURTHER EXCEPTIONS IN KOVNER'S CASE. IN THE SAME  
CONVERSATION, KORNIYENKO COMPLAINED OF US VISA POLICY TOWARD  
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THE 105 SOVIETS WHO WERE DECLARED PNG BY THE UK IN 1971.

SINCE KORNIYENKO WAS OBVIOUSLY PREPARED TO DISCUSS THE KOVNER REFUSAL, AND BROUGHT UP THE 105 IN THAT CONNECTION, THE SOVIETS MAY WELL CONSIDER THEY ARE PLAYING TIT FOR TAT.

3. THE DEPT HAS APPROVED A NEW VISA REQUEST FOR AYKAZYAN (REF A). IN VIEW OF THIS, AND THE TURNDOWN OF A SOVIET VISA FOR KOVNER, NOW WOULD SEEM AN APPROPRIATE OPPORTUNITY TO

EXPLAIN TO THE MFA US VISA PRACTICES TOWARD THE 105, AND IN THE PROCESS SUPPORT THE STOESSEL/HARTMAN DEMARCHE TO KORNIYENKO ON KOVNER.

4. UNDER EXISTING GUIDELINES, WHETHER ONE OF THE 105 IS GRANTED OR DENIED A US VISA DEPENDS BASICALLY ON THE PURPOSE OF THE PROPOSED VISIT. VISAS THUS FAR HAVE BEEN ISSUED FOR VISITS FOR THE CONDUCT OF GOVERNMENT-TO GOVERNMENT NEGOTIATIONS AND FOR VISITS PURSUANT TO THE US-USSR EXCHANGES AGREEMENTS. VISAS WOULD NOT NORMALLY BE ISSUED TO THOSE EXPelled FROM THE UK WHO WISH TO COME TO THE US FOR NONOFFICIAL PURPOSES, SUCH AS COMMERCIAL VISITS TO PRIVATE AMERICAN FIRMS.

5. UNDER THIS GUIDELINE, THE DEPT APPROVED A VISA FOR AYKAZYAN TO VISIT THE DEPT OF STATE TO CONDUCT DISCUSSIONS WITH US OFFICIALS ON MATTERS RELATED TO THE S AND T AGREEMENT AND ALSO TO ATTEND FUNCTIONS OF THE TRADE AND ECONOMIC COUNCIL SO LONG AS THESE DO NOT ENTAIL COMMERCIAL VISITS TO AMERICAN FIRMS. THE DEPT WILL NOT AGREE TO TRAVEL FOR AYKAZYAN WHICH IS UNRELATED TO THESE PURPOSES. AYKAZYAN IS THUS PERMITTED ON THIS VISIT TO GO AT LEAST TO NEW YORK AND WASHINGTON, AND WE WOULD LOOK FURTHER AT HIS ITINERARY OUTSIDE THESE CITIES WHEN DETAILS ARE FURNISHED TO DETERMINE WHETHER VISITS TO THEM WOULD FALL WITHIN THE GUIDELINES, OR BE ESSENTIALLY COMMERCIAL AND FALL OUTSIDE.

6. IN ADDITION TO PRESENTING THE FOREGOING EXPLANATION, AND IN CONJUNCTION WITH IT, THE CHARGE IS REQUESTED TO SUPPORT THE STOESSEL/HARTMAN DEMARCHE TO KORNIYENKO RE KOVNER. THE CHARGE CAN ASK THAT THE MFA RECONSIDER THE DENIAL OF A VISA TO KOVNER, POINTING OUT THAT HE WISHES LIMITED OFFICIAL USE

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TO VISIT THE USSR (1) TO PARTICIPATE AS AN OFFICIAL MEMBER OF A WORKING GROUP OF THE US-USSR AGRICULTURAL AGREEMENT, AND (2) TO SERVE ON THE DELEGATION OF SECRETARY SIMON TO THE JOINT BOARD OF DIRECTORS MEETING OF THE TRADE AND ECONOMIC COUNCIL.

7. IN REGARD TO KOVNER'S APPLICATION, THE CHARGE SHOULD ALSO DRAW ON REFTEL C.

8. IN DISCUSSING THE MATTER WITH ASST SECRETARY HARTMAN, KORNIYENKO REFERRED SPECIFICALLY TO THE CASE OF Y. B. KASHLEV, ONE OF THE 105 ABOUT WHOM THE SOVIETS INQUIRED INFORMALLY LAST SUMMER IN REGARD TO AN ASSIGNMENT TO THE SOVIET EMBASSY HERE. WE TOLD THE SOVIETS AUGUST 13 THAT WE WOULD NOT BE ABLE TO ISSUE KASHLEV A VISA FOR THAT PURPOSE. DEPT WOULD PREFER IF POSSIBLE TO AVOID

DISCUSSION OF PERMANENT APPOINTMENT TO US OF 105 INDIVIDUALS. HOWEVER, IF THE MFA RAISES THE KASHLEV CASE, THE CHARGE MAY SAY THAT IF KASHLEV APPLIED FOR A VISA FOR A PURPOSE WITHIN GUIDELINES SET OUT IN PARA 4 ABOVE, THE MATTER WOULD BE HANDLED IN ACCORDANCE WITH THE GUIDELINES.

FYI: WE PREFER TO AVOID GIVING IMPRESSION THAT OUR POLICY AGAINST PERMITTING PERMANENT ASSIGNMENT OF 105 TYPES IS INDEFINITELY IMMUTABLE BECAUSE IT IS CONCEIVABLE THAT AT SOME POINT IN THE FUTURE WE MAY WISH TO SEEK A TRADE-OFF. END FYI. KISSINGER

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